

AUG 23 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

David J. Bradley, Clerk of Court

ARCADE JOSEPH COMEAUX, JR., §
(TDCJ-CID #841331) §
§
Plaintiff, §
§
vs. § CIVIL ACTION H-03-2555
§
§
DARRELL SUTTON, *et al.*, §
§
§
Defendants. §

JURY QUESTIONS

QUESTION NO. 1

Has the plaintiff, Arcade Comeaux, Jr., proven that one or more of the following defendants violated his constitutional rights by using excessive force against him?

Answer "yes" or "no" as to each of the following defendants:

ANSWER:

Darrell Sutton

"Yes"

✓

"No"

Robert Jenkins

"Yes"

✓

"No"

Mark Biscamp

"Yes"

✓

"No"

If you answered “yes” as to any defendant in Question No. 1, then proceed to Question No. 2. Otherwise, do not answer any further questions.

QUESTION NO. 2

Has Arcade Comeaux, Jr. proven that one or more of the following defendants violated his constitutional rights by failing to intervene to protect him by stopping the use of excessive force?

Answer “yes” or “no” as to each of the following defendants:

ANSWER:

Bradley Hutchison

_____ “Yes” _____ “No”

Austin McComb

_____ “Yes” _____ “No”

Tim Simmons

_____ “Yes” _____ “No”

If you answered "yes" as to any defendant in Question Nos. 1 or 2, then proceed to Question No. 3. Otherwise, do not answer any further questions.

QUESTION NO. 3

Has Arcade Comeaux, Jr. proven that any of the defendants' acts or failure to act was objectively unreasonable in light of the facts and circumstances confronting him?

Answer "yes" or "no" for each defendant:

ANSWER:

Darrell Sutton

<hr/>	"Yes"	<hr/>	"No"
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Robert Jenkins

<hr/>	"Yes"	<hr/>	"No"
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Mark Biscamp

<hr/>	"Yes"	<hr/>	"No"
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Bradley Hutchison

<hr/>	"Yes"	<hr/>	"No"
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Austin McComb

<hr/>	"Yes"	<hr/>	"No"
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Tim Simmons

<hr/>	"Yes"	<hr/>	"No"
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If you answered "no" as to all defendants in Question No. 3, then proceed no further. Otherwise, proceed to Question No. 4 as to any defendants as to whom you answered "yes."

QUESTION NO. 4

Do you find that any of the defendants' acts or omissions caused injury to Arcade Comeaux, Jr.?

Answer "yes" or "no" for each defendant.

ANSWER:

Darrell Sutton

<hr/>	"Yes"	<hr/>	"No"
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Robert Jenkins

<hr/>	"Yes"	<hr/>	"No"
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Mark Biscamp

<hr/>	"Yes"	<hr/>	"No"
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Bradley Hutchison

<hr/>	"Yes"	<hr/>	"No"
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Austin McComb

<hr/>	"Yes"	<hr/>	"No"
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Tim Simmons

<hr/>	"Yes"	<hr/>	"No"
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If you answered Question No. 4 "yes" as to any defendant, then proceed to Question No. 5 as to any such defendant. Otherwise, do not answer any more questions.

QUESTION NO. 5

What amount of money paid now in cash, if any, do you find that Arcade Comeaux, Jr. has proven by a preponderance of the evidence would reasonably compensate him for the violation of his rights by one or more of the defendants, if any?

Answer for each defendant and the following elements of damage and none other.

ANSWER:

Darrell Sutton:

A. Physical pain and suffering in the past	\$ _____
B. Physical pain and suffering in the future	\$ _____
C. Mental anguish suffered in the past	\$ _____
D. Mental anguish suffered in the future	\$ _____

Robert Jenkins:

A. Physical pain and suffering in the past	\$ _____
B. Physical pain and suffering in the future	\$ _____
C. Mental anguish suffered in the past	\$ _____
D. Mental anguish suffered in the future	\$ _____

Mark Biscamp:

A. Physical pain and suffering in the past	\$ _____
B. Physical pain and suffering in the future	\$ _____
C. Mental anguish suffered in the past	\$ _____
D. Mental anguish suffered in the future	\$ _____

Bradley Hutchison:

A. Physical pain and suffering in the past	\$ _____
B. Physical pain and suffering in the future	\$ _____
C. Mental anguish suffered in the past	\$ _____
D. Mental anguish suffered in the future	\$ _____

Austin McComb:

A. Physical pain and suffering in the past	\$ _____
B. Physical pain and suffering in the future	\$ _____
C. Mental anguish suffered in the past	\$ _____
D. Mental anguish suffered in the future	\$ _____

Tim Simmons:

A. Physical pain and suffering in the past	\$ _____
B. Physical pain and suffering in the future	\$ _____
C. Mental anguish suffered in the past	\$ _____
D. Mental anguish suffered in the future	\$ _____

QUESTION NO. 6

Has Arcade Comeaux, Jr. proven that he is entitled to an award of punitive damages as to any of the defendants?

Answer "yes" or "no" as to each defendant.

Darrell Sutton

"Yes"

"No"

Robert Jenkins

"Yes"

"No"

Mark Biscamp

"Yes"

"No"

Bradley Hutchison

"Yes"

"No"

Austin McComb

"Yes"

"No"

Tim Simmons

"Yes"

"No"

If you have answered Jury Question No. 6 "yes," you must answer Jury Question No. 7. Otherwise, do not answer it.

Jury Question No. 7

What sum of money, if paid now in cash, do you award as punitive damages as to any of the defendants?

Answer in dollars and cents as to each defendant.

ANSWER:

Darrell Sutton	\$ _____
Robert Jenkins	\$ _____
Mark Biscamp	\$ _____
Bradley Hutchison	\$ _____
Austin McComb	\$ _____
Tim Simmons	\$ _____

CERTIFICATE

We, the jury, have answered the questions as indicated, and return them into court as our verdict.

Date: 8-23-2013

Original Signature on File

Presiding Juror